

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLASTE SIDE**

**CIVIL APPLICATION NO. 1607 OF 2005
IN
WRIT PETITION NO. 4973 OF 1999.**

Office Notes, Office :
Memorandum of Coram, : Court's or Judge's orders
appearances, Courts's :
orders or directions :
Prothonotaries orders. :

Nitin Holay i/b. A.V. Anturkar
for the applicant.

Dilip Bodake for the respondent.

CORAM: V.C.DAGA, J.

DATED: 10th March 2006.

P.C.:

. Heard learned counsel for the
applicant/ original defendant No.1, who
is seeking temporary injunction
restraining the original petitioner from
disturbing his possession. This Court
vide order dated 24th March, 2000 was
pleased to direct both parties to
maintain status-quo, since both of them
were raising dispute regarding actual
possession of the suit property. Vide
order dated 21st April, 2005, this Court
refused to modify the order dated 24th
March, 2000. In this view of the matter,
passing any order contrary to the order
dated 21st April, 2005 would result in

modification of the said order without seeking modification thereof. The application, therefore, cannot be granted.

. Civil application is, thus, rejected with no order as to costs.

(V.C.DAGA, J.)